

**Independent Examiner's Report of the**  
**Poringland Neighbourhood Plan**

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## **SECTION 2**

### **Summary**

*As the Independent Examiner appointed by South Norfolk Council to examine the Poringland Neighbourhood Plan, I can summarise my findings as follows:*

- 1. I find the Poringland Neighbourhood Plan and the policies within it, subject to the recommended modifications does meet the Basic Conditions.*
- 2. I am satisfied that the Referendum Area should be the same as the Plan Area, should the Poringland Neighbourhood Plan go to Referendum.*
- 3. I have read the Poringland Consultation Statement and the representations made in connection with this subject I consider that the consultation process was robust and that the Neighbourhood Plan and its policies reflect the outcome of the consultation process including recording representations and tracking the changes made as a result of those representations.*
- 4. I find that the Poringland Neighbourhood Plan can, subject to the recommended modifications proceed to Referendum.*
- 5. The Poringland Neighbourhood Plan Area is within the area covered by South Norfolk Council. The current Development Plan is the Joint Core Strategy for Broadland, Norwich and South Norfolk (2014) and the South Norfolk Site Specific Allocations and Policies Document (2015) and the South Norfolk Development Management Policies Document (2015).*

## **SECTION 3**

### **Introduction**

#### **3.1 Neighbourhood Plan Examination.**

*My name is Deborah McCann and I am the Independent Examiner appointed to examine the Poringland Neighbourhood Plan.*

*I am independent of the qualifying body, I do not have any interest in the land in the plan area, and I have appropriate qualifications and experience, including experience in public, private and community sectors.*

*My role is to consider whether the submitted Poringland Neighbourhood Plan meets the Basic Conditions and has taken into account human rights; and to recommend whether the Poringland Neighbourhood Plan should proceed to Referendum. My role is as set out in more detail below under the section covering the Examiner's Role. My recommendation is given in summary in Section 2 and in full under Section 5 of this document.*

*The Poringland Neighbourhood Plan has to be independently examined following processes set out in the Town and County Planning Act 1990 (as amended by the Localism Act 2011) and the subsequent Neighbourhood Planning (General) Regulations 2012.*

*The expectation is that the examination of the issues by the examiner is to take the form of the consideration of the written representations. However, there are two circumstances when an examiner may consider it necessary to hold a hearing. These are where the examiner considers that it is necessary to ensure adequate examination of an issue or to ensure a person has a fair chance to put a case. Having read the plan and considered the representations I concluded that it was not necessary to hold a Hearing.*

#### **3.2 The Role of Examiner including the examination process and legislative background.**

*The examiner is required to check whether the neighbourhood plan:*

- *Has been prepared and submitted for examination by a qualifying body*
- *Has been prepared for an area that has been properly designated for such plan preparation*
- *Meets the requirements to*
  - i) *specify the period to which it has effect;*
  - ii) *not include provision about excluded development; and*
  - iii) *not relate to more than one neighbourhood area and that*
- *Its policies relate to the development and use of land for a designated*

*neighbourhood area.*

*The examiner must assess whether a neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended).*

*As an independent Examiner, having examined the Plan, I am required to make one of the following recommendations:*

- 1. The Plan can proceed to a Referendum*
- 2. The Plan with recommended modifications can proceed to a Referendum*

*Where a policy does not meet the Basic Conditions or other legal requirement I may, on occasion, need to delete wording, including potentially an entire plan policy and/or section of text, although I will first consider modifying the policy rather than deleting it. Where a policy concerns a non-land use matter, advice in the Planning Practice Guidance states “Wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, but actions dealing with non-land use matters should be clearly identifiable. For example, set out in a companion document or annex.” As such, when considering the deletion of any non-land use matters from the plan, I will consider if I can make a modification to place the relevant proposed actions in a non-statutory annex to the plan, dealing with ‘Wider Community Aspirations’. I will not generally refer back to parties on these detailed revisions. I will make modification either in order to meet the Basic Conditions, to correct errors or provide clarification. However, the focus of my examination, as set out in legislation is relatively narrow, I must focus on compliance with the Basic Conditions. The main purpose of a neighbourhood plan is to provide a framework for the determination of planning applications, policies in a plan which have elements which either seek to control things which fall outside the scope of the planning system or introduce requirements which are indiscriminate in terms of the size of development or are overly onerous and would not meet the Basic Conditions. In these circumstances it will be necessary to make modifications to the plan. In making any modifications I have a duty to ensure that the Basic Conditions are met however I am also very careful to ensure, where possible that the intention and spirit of the plan is retained so that the plan, when modified still reflects the community’s intent in producing their neighbourhood plan.*

- 3. The Plan does not meet the legal requirements and cannot proceed to a Referendum*

*I am also required to recommend whether the Referendum Area should be different from the Plan Area, should the Poringland Neighbourhood Plan go to*

*Referendum.*

*In examining the Plan, I am required to check, under Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, whether:*

- the policies in the Plan relate to the development and use of land for a designated Neighbourhood Area are in line with the requirements of Section 38A of the Planning and Compulsory Purchase Act 2004*
- the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 to specify the period for which it has effect*
- the Plan has been prepared for an area designated under the Localism Act 2011 and has been developed and submitted for examination by a qualifying body.*

*I am also required to determine whether the Plan complies with the Basic Conditions, which are that the proposed Neighbourhood Plan:*

- Has regard to national policies and advice contained in guidance issued by the Secretary of State;*
- Contributes to the achievement of sustainable development;*  
*and*
- Is in general conformity with the strategic policies contained in the Development Plan for the area.*

*There is now an additional Basic Condition to be considered. Since the 28th of December 2018, the Neighbourhood Planning (General) Regulations 2012 Such 2 para 1 has stated:*

*"In relation to the examination of Neighbourhood Plans the following basic condition is prescribed for the purpose of paragraph 8(2)(g) of Schedule 4B to the 1990 Act-*

*The making of the Neighbourhood Plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017."*

*The Plan must also not breach, and otherwise be compatible with EU obligations and Human Rights requirements.*

*South Norfolk Council will consider my report and decide whether it is satisfied with my recommendations. The Council will publicise its decision on whether or not the plan will be submitted to a referendum, with or without modifications. If the Neighbourhood Plan is submitted to a referendum, then*

*28 working days' notice will be given of the referendum procedure and Neighbourhood Plan details. If the referendum results in more than half those voting (i.e. greater than 50%), voting in favour of the plan, then the Council must "make" the Neighbourhood Plan a part of its Development Plan as soon as possible. If approved by a referendum and then "made" by the local planning authority, the Neighbourhood Plan then forms part of the Development Plan.*

## **SECTION 4**

### **The Report**

#### **4.1 Appointment of the Independent examiner**

*South Norfolk Council appointed me as the Independent Examiner for the Poringland Neighbourhood Plan with the agreement of Poringland Neighbourhood Plan Group*

#### **4.2 Qualifying body**

Poringland Parish Council is the qualifying body.

#### **4.3 Neighbourhood Plan Area**

The Poringland Neighbourhood Plan Area was designated by South Norfolk Council as a Neighbourhood Area on 15 November 2017 under the Neighbourhood Planning Regulations 2012 (part2 S6). The NDP relates only to this Area. No other Neighbourhood Development Plan has or is being made for the Area.

#### **4.4 Plan Period**

The Plan identifies the period to which it relates as 2019 to 2039.

#### **4.5 South Norfolk Council Regulation 15 Assessment of the Plan.**

*Poringland Parish Council, the Qualifying Body, submitted the plan to South Norfolk Council for consideration under Regulation 15. The Council has made an initial assessment of the submitted Poringland Neighbourhood Plan and the supporting documents and is satisfied that these comply with the specified criteria.*

#### **4.6 The Consultation Process**

*The Poringland Neighbourhood Plan has been submitted for examination with a Consultation Statement which sets out the consultation process that has led to the production of the plan, as set out in the regulations in the Neighbourhood Planning (General) Regulations 2012.*

*The Statement describes the approach to consultation, the stages undertaken and explains how the Plan has been amended in relation to comments received. It is set out according to the requirements in Regulation 15.1.b of the Neighbourhood Planning (General) Regulations 2012):*

*(a) It contains details of the persons and bodies who were consulted about the proposed Neighbourhood Plan;*

*(b) It explains how they were consulted; (c) It summarises the main issues and concerns raised by the persons consulted; and*

*(d) It describes how these issues and concerns were considered and, where relevant, addressed in the proposed Neighbourhood Plan.*

*Having examined the documents and considered the focus of the Neighbourhood Plan I conclude that the consultation process was adequate, well conducted and recorded.*

*A list of statutory bodies consulted is included in the Consultation Statement.*

#### **4.7 Regulation 16 consultation by South Norfolk Council and record of responses.**

*South Norfolk Council placed the Poringland Neighbourhood Plan out for consultation under Regulation 16 from Friday 26<sup>th</sup> July to Friday 13<sup>th</sup> of September 2019.*

*A number of detailed representations were received during the consultation period and these were supplied by the Council as part of the supporting information for the examination process. I considered the representations, have taken them into account in my examination of the plan and referred to them where appropriate.*

#### **4.8 Site Visit**

*I carried out an unaccompanied site visit to familiarise myself with the Neighbourhood Plan Area on the 28th of November 2019.*

#### **4.9 Compliance with the Basic Conditions**

*The Qualifying Body have produced a Basic Conditions Statement. The purpose of this statement is to set out in some detail how the Neighbourhood Plan as submitted meets the Basic Conditions. It is the Examiner's Role to take this document into consideration but also take an independent view as to whether or not the assessment as submitted is correct.*

*I have to determine whether the Poringland Neighbourhood Plan:*

- 1. Has regard to national policies and advice*
- 2. Contributes to sustainable development*
- 3. Is in general conformity with the strategic policies in the appropriate Development Plan*
- 4. Is not in breach and is otherwise compatible with EU obligations and Human Rights requirements.*

5. *There is now an additional Basic Condition to be considered. Since the 28th of December 2018, the Neighbourhood Planning (General) Regulations 2012 Such 2 para 1 has stated:*

*"In relation to the examination of neighbourhood development plans the following basic condition is prescribed for the purpose of paragraph 8(2)(g) of Schedule 4B to the 1990 Act—*

*The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017."*

*Documents brought to my attention by the District Council for my examination include:*

- *Poringland Neighbourhood Plan Reg 15 Submission Version 1.3 May 2019*  
*This is the main document, which includes the policies developed by the community.*
- *Consultation Statement*  
*This is a statement setting out how the community and other stakeholders have been involved in the preparation of the Poringland Neighbourhood Development Plan and is supported by an evidence base, which arose from the consultation.*
- *Basic Conditions Statement*  
*This is a statement setting out how Poringland Neighbourhood Development Plan Working Group considers that the Neighbourhood Development Plan meets the Basic Conditions. This statement also includes the screening report for the Strategic Environmental Appraisal and Habitats Regulations Assessment and addresses how the plan contributes to the achievement of sustainable development.*
- *Evidence Base*
- *Screening Opinion*
- *Habitats Regulations Assessment*
- *Character Assessment for Poringland*

#### **4.10 Comment on Documents submitted**

*I am satisfied having regard to these documents and other relevant documents, policies and legislation that the Poringland Neighbourhood Plan does, subject to the recommended modifications, meet the Basic Conditions.*

## **4.11 Planning Policy**

### **4.11.1 National Planning Policy**

*National Policy guidance is in the National Planning Policy Framework (NPPF). At the time of the preparation of the Neighbourhood Plan the relevant NPPF was the National Planning Policy Framework (NPPF) February 2019 (as updated).*

*To meet the Basic Conditions, the Plan must have “regard to national policy and advice”. In addition, the NPPF requires that a Neighbourhood Plan “must be in general conformity with the strategic policies of the local plan”.*

*Paragraph 29 states:*

*“Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area or undermine those strategic policies.”*

*The Poringland Neighbourhood Plan does not need to repeat national policy, but to demonstrate it has taken them into account.*

*I have examined the Poringland Neighbourhood Plan and consider that, subject to modification, the plan does have “regard for National Policy and Advice” and therefore the Plan, subject to modification does meet the Basic Conditions in this respect.*

### **4.11.2 Local Planning Policy- The Development Plan**

*Poringland is within the area covered by South Norfolk Council. The relevant Development Plan, at the time of my examination was the Joint Core Strategy for Broadland, Norwich and the South Norfolk Site Specific Allocations and Policies Document (2015) and the South Norfolk Development Management Policies Document (2015).*

### **4.11.3 Local Planning Policy- The Development Plan**

*To meet the Basic Conditions, the Poringland Neighbourhood Plan Neighbourhood Plan must be in “general conformity” with the strategic policies of the development plan.*

*The NPPF 2019 (updated) states:*

*“20. Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for:*

*a) housing (including affordable housing), employment, retail, leisure and other commercial development;*

*b) infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);*

*c) community facilities (such as health, education and cultural infrastructure); and*

*d) conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation.”*

*Neighbourhood Plans should only contain non-strategic policies. The NPPF 2019(updated) states:*

*“Non-strategic policies*

*28. Non-strategic policies should be used by local planning authorities and communities to set out more detailed policies for specific areas, neighbourhoods or types of development. This can include allocating sites, the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment and setting out other development management policies.*

*29. Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area or undermine those strategic policies.”*

*Should there be a conflict between a policy in a neighbourhood plan and a policy in a Local Plan, section 38(5) of the Planning and Compulsory Purchase Act 2004 requires that the conflict must be resolved in favour of the policy, which is contained in the last document to become part of the development plan.*

*The distinction between strategic and non-strategic policies is important because of the relationship with Neighbourhood Plans. Neighbourhood Plans only have to be in general conformity with the strategic policies of the development plan (Localism Act 2011, Schedule 4B, s7 (2)(e)) When made, neighbourhood plan policies take precedence over existing non-strategic policies in the local plan, where they are in conflict.*

*Planning Policy Guidance paragraph 41-076-20140306 sets out that:*

*“Strategic policies will be different in each local planning authority area. When reaching a view on whether a policy is a strategic policy the following are useful considerations:*

- whether the policy sets out an overarching direction or objective*
- whether the policy seeks to shape the broad characteristics of development*
- the scale at which the policy is intended to operate*
- whether the policy sets a framework for decisions on how competing priorities should be balanced*
- whether the policy sets a standard or other requirement that is essential to achieving the wider vision and aspirations in the Local Plan*
- in the case of site allocations, whether bringing the site forward is central to achieving the vision and aspirations of the Local Plan*
- whether the Local Plan identifies the policy as being strategic”*

## **4.12 Other Relevant Policy Considerations**

### **4.12.1 European Convention on Human Rights (ECMR) and other**

## **European Union Obligations**

*As a 'local plan', the Neighbourhood Plan is required to take cognisance of the EU Strategic Environmental Assessment (SEA) Directive 2001/42/EC.*

South Norfolk Council carried out a Strategic Environmental Assessment (SEA) screening exercise in July 2018 in consultation with relevant statutory bodies and confirmed that the Poringland Neighbourhood Plan did not require a SEA under European Directive 2001/42/EC.

### **4.12.2 Habitats Regulations Assessment (HRA)**

South Norfolk Council carried out a Habitats Regulations Assessment Screening in June 2019 in consultation with Natural England and confirmed that the making of the neighbourhood plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017(d).

### **4.12.3 Sustainable development**

Paragraphs 7 to 14 of the NPPF (Feb 2019 as updated) identify the components of sustainable development, and how planning applications and local plans can meet these requirements.

The Basic Conditions Statement sets out how the neighbourhood plan addresses the requirement to achieve sustainable development and although this information is limited *my conclusion is that the principles of Sustainable Development required in the NPPF have been taken into account in the development of the plan and its policies and where issues have been identified they were addressed by revisions to the document prior to submission. I am satisfied that the Poringland Neighbourhood Plan subject to the recommended modifications addresses the sustainability issues adequately.*

*The Neighbourhood Plan is required to take cognisance of the European Convention of Human Rights and to comply with the Human Rights Act 1998.*

*I am satisfied that the Poringland Neighbourhood Plan has done so.*

*I am therefore satisfied that the Poringland Neighbourhood Plan meets the basic conditions on EU obligations.*

### **4.12.4 Excluded development**

*I am satisfied that the Poringland Neighbourhood Plan does not cover County matters (mineral extraction and waste development), nationally significant infrastructure such as highways and railways or other matters set out in Section 61K of the Town and Country Planning Act 1990.*

#### **4.12.5 Development and use of land**

*I am satisfied that the Poringland Neighbourhood Plan, subject to modification covers development and land use matters.*

#### **4.12.6 General Comments**

*Planning Guidance on preparing neighbourhood plans and policies is clear, it states:*

*“A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.*

*Neighbourhood planning can inspire local people and businesses to consider other ways to improve their neighbourhood than through the development and use of land. They may identify specific action or policies to deliver these improvements. Wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, but actions dealing with non-land use matters should be clearly identifiable. For example, set out in a companion document or annex.”*

*In order to provide clarity and to ensure that the policies in the Poringland Neighbourhood Plan meet the Basic Conditions it has been necessary for me to make modifications to a number of policies. This includes modifications where policies have sought to introduce controls outside the scope of the planning system or where existing policy already sets out the scope of control.*

*As I have found it necessary to modify a number of policies it may also be necessary to modify the supporting text within the plan to align with the modified policies, where this is necessary. The details of these modifications are set out within my comments on the related policies. My comments on policies are in *blue* with the modified policies in *red*.*

### **4.13 The Neighbourhood Plan Vision, Strategic Aims and Policies**

#### **4.13.1 VISION Statement**

## *Neighbourhood Area Vision Statement*

*Poringland will be a safe, sustainable, self-sufficient and thriving local community with a strong identity and sense of place.*

*It will still have a village feel with natural green habitats and valued connections with the surrounding countryside.*

*It will encourage small and local businesses to prosper, and thereby create a 'future proofed' village, where residents have homes for life and a community which cares for all.*

*It will support a robust infrastructure of services and facilities balanced with protection and preservation of local natural habitats*

Themes were agreed as:

- Theme 1: Housing and the Built Environment
- Theme 2: Environment, sustainability and rural character
- Theme 3: Transport and access
- Theme 4: Economy and community

services/facilities and infrastructure

*Objective 1: To provide a balanced mix of house types and tenures, including affordable and 'future proofed' homes for life.*

*Objective 2: To retain, encourage and enhance local natural habitats, to maintain and enhance a strong rural identity and sense of place for the area, through environmentally sustainable and sensitive small-scale development.*

*Objective 3: To provide and maintain an attractive infrastructure to encourage safe and sustainable options for travel in and around the village for pedestrians and cyclists.*

*Objective 4: To enhance the local economy with or by the provision of small business accommodation, attractive to established and start-up businesses.*

*Objective 5: To develop current facilities to support the village and deliver attractive new amenities around sport, leisure, education and care.*

*The resulting policies were then included, along with context and supporting evidence.*

## **COMMENT**

*I am satisfied that the Poringland NDP vision, aims and objectives were developed from the consultation process and that the policies within the plan reflect the vision, aims and objectives.*

### **4.14 PORINGLAND NEIGHBOURHOOD PLAN POLICIES**

#### **Theme 1: Housing and the built environment**

##### **Policy 1: Phasing residential growth**

*The aim is to have a planned phased delivery of housing growth in the village such that allocations are programmed to start in the second five-year period of the Greater Norwich local plan, as shown in Figure 4.*

*The Parish Council will work with the Greater Norwich planning authorities to give effect to this sustainable rate of planned growth in Poringland.*

*Development will also need to be managed and phased to ensure alignment with the capacity of available local services and infrastructure, and specific developments will need to show that the capacity exists.*

## **COMMENT**

*As currently worded, this is not a policy but a statement, it also includes reference to the Greater Norwich Local Plan which is not yet adopted. It could be deleted from the policy section and included in a separate section of the plan as a community aspiration/project or set out in the body of the plan. For clarity and to meet the Basic Conditions Policy 1 should be modified as follows:*

##### **Policy 1: Sustainable residential growth**

*In order to ensure sustainable growth in the village, any future housing growth which generates additional need for local services and infrastructure should be phased to ensure alignment with the capacity of available local services and infrastructure.*

##### **Policy 2: Housing – scale**

*Housing schemes comprising of 20 dwellings or fewer will in principle be supported.*

*Developments of more than 20 dwellings will only be supported where:*

- They also propose to deliver overriding community benefits, such as improved priority infrastructure\*;
- They are of an exceptional design and enhance considerably the local area; or
- The 20-dwelling cap will adversely affect the viability of development meeting specific demographic needs.

Small in-fill proposals will be supported in principle as long as the proposal does not unduly harm the local character in terms of landscape and adjacent buildings, important views and is a gap within an otherwise continuous line of housing or development.

\*Priority infrastructure needs are set out in Policy 24.

## **COMMENT**

*Whilst I understand that the community supports the inclusion of a 20 unit limit for individual developments, I have not been provided with any additional satisfactory supporting evidence to justify why the figure of 20 was selected. I have received representation from South Norfolk Council expressing concern that the 20-dwelling threshold has not been sufficiently justified by evidence and that this policy could result in the delivery of numerous smaller sites without the necessary associated infrastructure to mitigate the cumulative impact.*

*I am satisfied that the inclusion of the term “small-scale” within the modified policy will meet the community’s aspiration to see development within the development boundary of an appropriate size. For clarity and in order to meet the Basic Conditions the policy should be modified as follows:*

### **Policy 2: Housing – small scale**

***Proposals for small scale development including in-fill within the development boundary will be supported in principle where the proposal does not unduly harm the local character in terms of landscape and adjacent buildings, important views.***

### **Policy 3: Housing mix**

*Where viable, housing proposals will need to provide a mix of housing types, tenures and sizes, and these should reflect local need using the best*

*available, proportionate evidence. It is recognised that the mix is likely to be limited for small developments of fewer than five dwellings.*

*In addition, for developments of five or more dwellings a minimum of 20% of dwellings must be suitable for, or easily adaptable for, older or less mobile residents. This applies to open-market and affordable housing combined and can include homes designed to Lifetime Homes Standard or single storey. Proposals for accommodation specifically for older or disabled people, such as sheltered housing or Housing with Care, will be supported in principle.*

*Lifetime Homes Standard will be encouraged for all new dwellings to enable people to stay in the parish as they move through the stages of life, and proposals meeting this standard will be supported.*

*Any proposal that does not provide a mix meeting local need or provide the required proportion of homes suitable for older or less mobile people will need to be justified with clear evidence that such homes are not at that time required to that level.*

*The inclusion in a housing proposal of eco- homes to Passivhaus standards, and self- build plots on development sites will also be encouraged.*

## **COMMENT**

***National Planning Guidance makes it clear that it is important to plan to provide for the housing needs of older and disabled people. Plan-making authorities should, at a strategic level identify need for the plan area and set clear policies to address the housing needs of groups with particular needs such as older and disabled people. These policies can set out how the plan-making authority will consider proposals for the different types of housing that these groups are likely to require. They could also provide indicative figures or a range for the number of units of specialist housing for older people needed across the plan area throughout the plan period.***

***The Guidance also states:***

***“Accessible and adaptable housing enables people to live more independently, while also saving on health and social costs in the future. It is better to build accessible housing from the outset rather than have to make adaptations at a later stage – both in terms of cost and with regard to people being able to remain safe and independent in their homes.”***

**And:**

***“Where an identified need exists, plans are expected to make use of the optional technical housing standards (footnote 46 of the National Planning Policy Framework) to help bring forward an adequate supply of accessible housing.***

***Planning policies for accessible housing need to be based on evidence of need, viability and a consideration of site-specific factors.”***

***Although there is national guidance for the inclusion of policy requiring the inclusion of accessible and adaptable dwellings it is clear that this has to be based on evidence of need, which should be assessed at a strategic level. I have no evidence of this strategic level assessment or strategic level policy within the current development plan.***

***For clarity and to meet the Basic Conditions the policy should be modified as follows:***

### ***Policy 3: Housing mix***

***Where viable, housing proposals will need to provide a mix of housing types, tenures and sizes, and these should reflect local need using the best available, proportionate evidence. It is recognised that the mix is likely to be limited for small developments of fewer than five dwellings.***

***The inclusion of accessible and adaptable dwellings to serve the needs of older and disabled residents is strongly supported. Where there is identified need, developments of five or more dwellings should aim to provide a minimum of 20% of dwellings of this type. This applies to open-market and affordable housing combined and can include homes designed to Lifetime Homes Standard or single storey units. Proposals for accommodation specifically for older or disabled people, such as sheltered housing or Housing with Care, will be supported in principle.***

***Lifetime Homes Standard will be encouraged for all new dwellings to enable people to stay in the parish as they move through the stages of life, and proposals meeting this standard will be supported.***

***Any proposal that does not provide a mix meeting local need will need to be justified with clear evidence that such homes are not at that time required to that level.***

***The inclusion in a housing proposal of eco- homes to Passivhaus or***

**equivalent standards and self- build plots on development sites will also be encouraged.**

#### **Policy 4: Housing – location**

*The Neighbourhood Plan will support residential development that is allocated or within the adopted development boundary and that is expected not to result in a material increase in traffic through the village centre, as shown on Map 4, Village Centre and Valued Landscape map, page 57.*

*To help with this, development will be expected to be located to make it easy and attractive for new residents to walk or cycle to local services and facilities and use the bus for longer journeys.*

*In order to avoid extending the linear nature of the village, proposals for five or more dwellings that result in the growth of the village further southward will not generally be acceptable. Proposals for fewer than five dwellings south of the village will need to demonstrate that it does not add materially to traffic through the village centre or residential areas and there is no undue harm to the valued landscape and its characteristics, and key important views*

#### **COMMENT**

*The policy as currently worded would be difficult to apply in the determination of a planning application. It lacks clarity, there is no definition of “material increase”, the NPPF considers “significant impacts on the transport network” which should be mitigated and that:*

*”109. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*

*The sites which are already allocated are by their nature supported by the development plan and in establishing development boundaries the principle of development within the boundary is accepted. A map showing the adopted development boundary as it affects the Neighbourhood Plan Area should be included in the Plan. For clarity and to meet the Basic Conditions the policy should be modified as follows:*

#### **Policy 4: Housing – location**

**Development proposals within the adopted development boundary or on allocated sites should, where possible minimise the increase of traffic through the village centre, as shown on Map 4, Village Centre and**

***Valued Landscape map, page 57.***

***To help with this, development will be expected to be located and designed to make it easy and attractive for new residents to walk or cycle to local services and facilities and use the bus for longer journeys.***

***In accordance with South Norfolk Council's landscape character assessment for Poringland which resists changes that will further accentuate the linear nature of development in the village, proposals for major development that result in the growth of the village further southward will not generally be acceptable.***

***Proposals for minor development south of the village will need to demonstrate how additional traffic generated will be managed so that that the impact on the village centre or residential areas is minimised and there is no undue harm to the valued landscape and its characteristics, and key important views.***

#### ***Policy 5: Affordable housing***

*Affordable housing should be provided as part of developments where relevant, with the proportion being in line with the local plan requirements.*

*Small scale Exception Site schemes outside of the development boundary for Poringland will in principle be supported.*

*Exception Sites should:*

- Be well related to existing development;*
- Have reasonable sustainable access to village services;*
- Not result in a significant encroachment into the open countryside; and*
- Comprise of 20 dwellings or fewer.*

*In this context, Entry-Level Exception Sites in particular are encouraged.*

*The allocation of dwellings will be to those in housing need and with, as a reasonable preference, a connection to the parish of Poringland in accordance with the sequential criteria set out below this policy.*

*Furthermore, the needs of all serving or former Service personnel will need to be taken into account during the allocation process. This includes family members of serving or former Service Personnel who may themselves have been disadvantaged by the requirements of military service.*

*An affordable housing mix that provides opportunities for people to buy, including discounted homes to buy, as well as affordable rent will be supported*

## **COMMENT**

***Policy 5 refers to “Small scale” and “comprise of 20 houses or fewer”.***

***The government defines exception sites as:***

***“Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection.”***

***There is no definition of “small sites” however this has generally been interpreted at a development plan level to be sites that are proportionate to the size and scale of the settlement to which they relate. I have not been provided with any evidence as to why the figure of 20 dwellings has been arrived at (see my comments on policy 4). For clarity and to meet the Basic Conditions the policy should remove the bullet point reference to 20 dwellings or fewer.***

***South Norfolk Council have made representation that as an additional priority relating to military personnel has been inserted since the Regulation 14 consultation the wording in the supporting text on page 22 requires amending to reflect housing this as follows:***

***‘However, South Norfolk Council will need to determine priorities between applicants, so that applicants who have served in the Armed Forces are given greater priority than those without a local connection that have not served’.***

*I concur with this requirement.*

## **Theme 2: Environment, sustainability and rural character**

### **Policy 6: Natural Environment**

*As a minimum, all development will be expected to result in a demonstrable net ecological gain of at least 10%, including through the creation of a range of locally appropriate habitats and the inclusion of design features, including those that enable animals, especially species in decline, to move between habitats unhindered. Greater weight will be given to proposals that would result in a significant net ecological gain, or which help to support the B-Line for pollinators or other key green infrastructure as set out in The Greater Norwich Green Infrastructure Strategy.*

*Whilst the achievement of a minimum of 10% net biodiversity gain would be beneficial, I can find no national or strategic policy requirement for the 10% requirement and I have not been provided with evidence to support this figure in preference to any other. Whilst it is possible for Neighbourhood Plan Policy to introduce standards which diverge from National and Local policy and guidance this must be based on appropriate evidence and I have not been provided with any in this case. In order to meet the Basic Conditions, the policy should be modified as follows:*

### **Policy 6: Natural Environment**

*All development will be expected to achieve a demonstrable net ecological gain to meet statutory requirements including through the creation of a range of locally appropriate habitats and the inclusion of design features, including those that enable animals, especially species in decline, to move between habitats unhindered. Support will be given to proposals that would result in a significant net ecological gain, or which help to support the B-Line for pollinators or other key green infrastructure as set out in The Greater Norwich Green Infrastructure Strategy.*

### **Policy 7: Trees and hedgerows**

*Proposals shall include high quality landscaping design that as a minimum retains existing trees and hedgerows.*

*If a strong case is made for the removal of any trees or hedgerows, the loss will need to be mitigated by ensuring that replacement is at least equivalent to*

*the ecological value of the hedgerows or trees removed.*

*Development that will result in the loss or degradation of any woodland block or any of the remaining ancient hedgerows, including those shown on the tithe map, in part or in whole, will be refused unless the overall benefits significantly and demonstrably outweigh the loss.*

#### **COMMENT**

***To achieve access to development sites it may be necessary to remove some existing trees or areas of hedgerow. For clarity the first paragraph of Policy 7 should be modified as follows:***

***Proposals should include high quality landscaping design that retains, where possible existing trees and hedgerows.***

#### **Policy 8: Landscape**

*Proposals that clearly reinforce the linear pattern of the village, and in particular that extend the village southward along either side of the B1332, will not be supported.*

*Furthermore, the landscape to the south of the village is considered to be a Valued Landscape (see Policies Map 4, p57) and will be afforded the protection set out in the National Planning Policy Framework.*

*Proposals within the valued landscape will be refused unless specifically supported by other policies in the Neighbourhood Plan.*

#### **COMMENT**

***Policy 4, as modified contradicts the wording of this policy:***

***“In accordance with South Norfolk Council’s landscape character assessment for Poringland which resists changes that will further accentuate the linear nature of development in the village, proposals for major development that result in the growth of the village further southward will not generally be acceptable.”***

***Paragraph 170 of the NPPF states:***

***“Planning policies and decisions should contribute to and enhance the natural and local environment by:***

- a) protecting and enhancing valued landscapes, sites of biodiversity***

*or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);”*

*I have not been provided with sufficiently robust evidence to support the designation of the area designated as Valued Landscape (see Policies Map 4, p57) and the serious policy restrictions this would impose.*

*For consistency, clarity and to meet the Basic Conditions, Policies Map 4 should be re annotated to refer to important landscape and the policy should be modified as follows:*

### ***Policy 8 Landscape***

*In accordance with South Norfolk Council’s landscape character assessment for Poringland which resists changes that will further accentuate the linear nature of development in the village, proposals for major development that result in the growth of the village further southward will not generally be acceptable.*

*The landscape to the south of the village (as identified on Policies Map 4, p57) is valued by the community and important to the setting of the village. Proposals for development within this important landscape will not be supported unless specifically supported by other policies in the Development Plan.*

### ***Policy 9: Long views***

*Development proposals that set out, where applicable, how they will retain remaining distant views towards Norwich, the Tas Valley and south of the village will be supported.*

*Such development proposals will need to set out how the layout and density of the proposal has taken into account the views and how any adverse impact has been minimised.*

*Proposals that will result in unacceptable harm to the important views shown on the Policies map 4 will not be supported.*

### ***COMMENT***

*I have received the following representation from South Norfolk Council:*

*“Policy 9: Long views on Policy Map 2 and Policy Map 4*

*The Council recommends Policy Map 2 (page 55) and Policy Map 4 (page 57) are updated to illustrate the important views being referred to in Policy 9 (and shown in the photographs at page 58) and to illustrate the Chet Valley Linear Reserve and the parkland around Porch Farm which are referenced within the supporting text for Policy 9. It is also recommended that the broad locations from which longer distance views towards Norwich and the Tas Valley, referenced in Policy 9, should be illustrated on Map 2.”*

*I concur with these recommendations.*

#### **Policy 10: Recreational open space provision**

*Recreational open space must be provided as part of new development either on-site or secured off-site through developer contributions in accordance with local plan Policy DM 3.15 (or successor) and with due regard to the South Norfolk Guidelines for Recreation Provision in New Residential Developments SPD (2018) or its replacement.*

*The recreational open space provided shall be linked and form a multifunctional role as part of the network of green infrastructure promoted by the Joint Core Strategy and be well connected to routes for pedestrians and cyclists.*

*This shall where relevant include improving access to the countryside, and as a minimum it will be expected that countryside access via the Public Rights of Way network will not be harmed by development.*

*The provision of recreational open space as required by the local plan should:*

- a) Result in net ecological gain; and*
- b) Benefit all members of the community with access being available to all.*

#### **COMMENT**

*I have no comment on this policy.*

#### **Policy 11: Local Green Space designations**

*The following places will be designated as Local Green Spaces as shown on the Policies Map 3 as part of this Neighbourhood Plan:*

- a) Poringland Conservation and Fishing Lakes, by virtue of its recreational value, wildlife and tranquility;*

- b) Carr Lane community woodland, by virtue of its wildlife and tranquility; and
- c) The war memorial playing field for its recreational value

*Proposals for any development on these will be resisted unless there are exceptional circumstance*

#### **COMMENT**

*I have no comment on this policy.*

#### **Policy 12: Street Lighting**

*It will be essential to maintain the “dark skies” and the rural feel in Poringland by avoiding the introduction of street lighting as part of new development.*

*New street lighting will therefore not be encouraged. If any is installed it must be designed so as to minimise the adverse impact on dark skies, local amenity, landscape and wildlife.*

#### **COMMENT**

*There may be situations where the installation of street lighting will be required for highway or pedestrian safety and the decision to install this lighting falls outside the control of the NDP. For clarity and to meet the Basic Conditions the policy should be modified as follows:*

#### **Policy 12: Street Lighting**

*In order to maintain the “dark skies” and rural feel in Poringland the introduction of street lighting as part of new development should be avoided. Where new street lighting cannot be avoided it must be designed so as to minimise the adverse impact on dark skies, local amenity, landscape and wildlife.*

#### **Policy 13: Flood risk**

*All major development proposals, or all development proposals coming forward within the areas of high, medium and low risk from surface water flooding, as identified by the Environment Agency, must have due regard to The Millard Report and satisfy the following criteria:*

- a) *The application includes a Flood Risk Assessment (FRA) and Surface Water Drainage Strategy that gives adequate and appropriate consideration to all sources of flooding and surface water drainage to ensure there is no*

*increased risk of flooding either on the development site or to existing property as a result of the development. Developers will be expected to demonstrate that downstream water flooding is avoided.*

*b) Sustainable Drainage Systems will need to be considered for all planning applications, following the SuDS hierarchy, but in particular note:*

*i. Development that manages surface water through infiltration methods may be supported but only if it can be clearly demonstrated to be effective by appropriate percolation and soil investigation tests showing that this will not result in the increase of flood-risk on-site or off- site. There should be no direct discharge to groundwater and schemes should provide a saturated zone of 1.2 metres.*

*ii. Where infiltration is not effective or practicable, as will be the case in much of Poringland, developers should seek solutions that use storage zones or connections to a water course. Such drainage solutions should intercept and store long term surface water run-off up with an appropriate allowance for climate change. Again, it will be necessary to demonstrate that the solution will not increase flood risk elsewhere and should be based on sufficient treatment steps.*

*Any drainage strategy is likely to avoid the piping of existing drainage channels unless this is shown to be necessary. The incorporation of rainwater re-use or rainwater harvesting systems to further delay and reduce flows will be supported. As a minimum, water butts should be considered in all new development. The Neighbourhood Plan will particularly support water features that are incorporated into recreational areas or ecological gains as part of the solution, where appropriate.*

## **COMMENT**

***The current wording of policy 13 does not have sufficient regard for national policy and in part lacks clarity. For clarity and to meet the Basic Conditions the policy should be modified as follows:***

### ***Policy 13: Flood risk***

***All major development proposals, or all development proposals coming forward within the areas of high, medium and low risk from surface water flooding, as identified by the Environment Agency, should have due regard to the South Norfolk Council Poringland Integrated Urban***

*Drainage Strategy Supplementary Groundwater Drainage Report (2008) and where required by national policy include a Flood Risk Assessment (FRA) and Surface Water Drainage Strategy that gives adequate and appropriate consideration to all sources of flooding and surface water drainage to ensure there is no increased risk of flooding either on the development site or to existing property as a result of the development. Developers will be expected to demonstrate that there will be no increase in flood risk elsewhere.*

*Sustainable Drainage Systems will need to be considered for all planning applications, following the SuDS hierarchy, but in particular note:*

*i. Development that manages surface water through infiltration methods may be supported but only if it can be clearly demonstrated to be effective by appropriate percolation and soil investigation tests showing that this will not result in the increase of flood-risk on-site or off- site. There should be no direct discharge to groundwater and schemes should provide a saturated zone of 1.2 metres.*

*ii. Where infiltration is not effective or practicable, as will be the case in much of Poringland, developers should seek solutions that use storage zones or connections to a water course. Such drainage solutions should intercept and store long term surface water run-off by means of attenuation and controlled discharge with an appropriate allowance for climate change.*

*Any drainage strategy should avoid the piping of existing drainage channels unless this is shown to be necessary. The incorporation of rainwater re-use or rainwater harvesting systems to further delay and reduce flows will be supported. As a minimum, water butts should be considered in all new development. The Neighbourhood Plan will particularly support water features that are incorporated into recreational areas or ecological gains as part of the solution, where appropriate.*

*In addition, South Norfolk Council have made representation that the supporting text for policy 13 (page 32) requires modification:*

*“The significance of the issue is set out in the South Norfolk Council Poringland Integrated Urban Drainage Strategy Supplementary Groundwater Drainage Report (2008), hereafter referred to as ‘The Millard Report’.*

*‘The problem is caused by natural springs and streams, and the predominant boulder clay geology overlain by 8-12m of sand and gravel. Many of the problems stem from the predominant boulder clay geology overlain in some areas by sands and gravels. Where the sands and gravels interface with the boulder clay close to the surface, this can give rise to transient springs and natural flow routes. “*

*I concur with this modification.*

#### **Policy 14: Character and Design**

*All new development within Poringland must demonstrate high-quality design. This means responding to and integrating with local surroundings and the landscape context as well as the existing built environment. In Poringland high-quality design means:*

- a) New development must be in keeping with that of a rural village, and be of similar diversity, density, footprint, separation and scale to the surrounding area and of neighbouring properties in particular, unless it can be demonstrated that proposed development would not harm local character;*
- b) Development is designed so as to provide distinct character across housing proposals, which is either contemporary (but in keeping with traditional housing), or makes use of traditional materials which reflects older properties within the village;*
- c) An attractive and robust landscape setting is provided for buildings on site which reinforces local distinctiveness;*
- d) New development is well integrated into the landscape and maintains the quality of transition between settled and agricultural landscape;*
- e) Existing landscape features on site boundaries must be retained, which includes hedges and tress to help maintain the character of the site and reinforce its boundaries;*
- f) Development does not adversely impact views from and to the sensitive*

*edge of the plateau; particularly the north of the area, which is indivisible with Norwich, and must maintain the views identified at Policy 9;*

*g) The overall external appearance of affordable dwellings is indistinguishable in terms of the materials used and architectural detail from the open market housing on site;*

*h) There is good use of public space in major residential development proposals to provide an attractive and interesting community focus;*

*i) Housing is set back from the edge of the highway, with frontage to public open space creating an attractive focal point within major development so as to increase the quality of the public realm;*

*j) There is connectivity between existing and new footpath and/or cycle paths and between open spaces to aid integration of existing and new development.*

*k) New development, especially that intended for family occupation, includes ample garden areas to serve future residents and reflect the current character of the area;*

*l) Each property shall have a defined area for bins as close to the property's rear doors as possible; and*

*m) Layouts are designed to keep vehicle intrusion to a minimum.*

*Planning permission will not be granted for development of poor design that fails to take the opportunities available for improving local character and quality of an area, and the way it functions.*

*Development proposals shall be in keeping with the South Norfolk 'Place-Making Guide', 'Building for Life' criteria and 'Secure by Design'.*

## **COMMENT**

***This policy is long, lacks clarity and in places repetitive. For clarity the policy should be modified as follows:***

### ***Policy 14: Character and Design***

***All new development within Poringland should demonstrate high-quality design. Proposals for new development should:***

***a) be locally distinctive, in keeping with the context of a rural village of similar diversity, density, footprint, separation and scale to the***

*surrounding area and of neighbouring properties in particular, unless it can be demonstrated that proposed development would not harm local character as set out in the Poringland Character Assessment document;*

*b) be designed so as to provide distinct character across housing proposals, which is either contemporary (but reflects traditional housing styles), or makes use of traditional materials which reflects older properties within the village;*

*c) include attractive and robust landscape proposals and planting schemes of appropriate native species.*

*d) be well integrated into the landscape and maintain the quality of transition between settled and agricultural landscape;*

*e) retain wherever possible existing landscape features on site boundaries including hedges and trees to maintain the character of the site and reinforce its boundaries;*

*f) not adversely impact views to and from the sensitive edge of the plateau; particularly in the north of the area, identified at Policy 9;*

*g) ensure that the external appearance of affordable dwellings is indistinguishable in terms of the materials used and architectural detail from the open market housing on site;*

*h) ensure that public spaces in major residential development are designed to provide an attractive and interesting community focus;*

*i) ensure that there is connectivity between existing and new footpath and/or cycle paths and between open spaces to aid integration of existing and new development.*

*j) provide adequate garden areas which reflect the nature of the occupation of the proposed dwellings, to serve future residents and reflect the current character of the area;*

*k) provide a defined area for bins as close to the property's rear doors as possible; and*

*l) be designed to prioritise pedestrian movement, minimising vehicle intrusion.*

*Planning permission will not be granted for development of poor design that fails to take the opportunities available for improving local*

***character and quality of an area, and the way it functions.***

***Development proposals shall be in keeping with the South Norfolk 'Place-Making Guide', 'Building for Life' criteria and 'Secure by Design'.***

### **Policy 15: Historic Environment**

*Where a proposal, especially in the south or south-east of the village, will preserve or enhance the significance of one or more of the heritage assets, the neighbourhood plan will be supportive.*

*Where such an application includes elements that have the potential to adversely impact upon one or more of the heritage assets, it must include a heritage statement that describes the significance of any heritage assets potentially affected, alongside a clear and convincing justification for any unavoidable harm to significance.*

*Design that complements heritage assets in the vicinity of a proposal will be considered favourably (see also Policy 14).*

*Proposals shall provide the opportunity for archaeological assets to be revealed and understood or, where appropriate, preserved.*

### **COMMENT**

***National policy and guidance already sets out the framework for the determination of applications affecting designated and non-designated heritage assets and does not need to be repeated here and policy 15 does not reflect existing policy adequately. For clarity and to meet the Basic Conditions the policy should be modified as follows:***

### **Policy 15: Historic Environment**

***Proposals affecting Designated and Non-Designated Heritage Assets must comply with national policy and the Development Plan.***

***Support will be given to proposals that will conserve and enhance heritage assets, especially those in the south or south-east of the village.***

### **Theme 3: Transport and access**

### **Policy 16: Sustainable Transport**

*New developments will be expected to encourage and enhance sustainable*

*travel choices.*

*Development proposals must demonstrate safe walking and cycling links to key local services and community facilities, especially to schools and the defined village centre.*

*Where necessary the developer must provide safe and good quality sustainable transport infrastructure connecting the development with existing sustainable transport infrastructure.*

*Proposals that include improved connectivity to Norwich for sustainable modes of transport will be viewed favourably.*

*Development will take all reasonable opportunities to promote and enhance the use of public transport. This could include improvements to bus services, especially weekend and evening services where feasible.*

#### **COMMENT**

***The provision of safe walking and cycling links will not be relevant for all developments. For clarity the second paragraph of policy 16 should be modified as follows:***

***Development proposals should, where relevant demonstrate safe walking and cycling links to key local services and community facilities, especially to schools and the defined village centre.***

#### **Policy 17: School parking**

*Any planning application for expansion of the schools will include a parking management scheme.*

*Such proposals to improve the parking provision and management around the schools, especially in relation to pick-up and drop-off requirements, will be supported in principle.*

#### **COMMENT**

***I have no comment on this policy.***

#### **Policy 18: Transport layout of new residential development**

*The layout of new residential developments must be designed to encourage traffic speeds of 20mph or lower.*

*Development shall be permeable to allow for easy pedestrian and cyclist access, although this should avoid unacceptable personal safety risks and should not be detrimental to crime prevention.*

*In particular, footways that enjoy natural surveillance, are overlooked by a number of dwellings, and are not routed along the backs of homes and/or bounded by high fences, will be considered favourably.*

## **COMMENT**

***Guidance on the design and layout of roads for residential development is set out in the Manual for Streets at a national level and implemented on a local level by the local highway authority. For clarity and to meet the Basic Conditions the policy should be modified as follows:***

### ***Policy 18: Transport layout of new residential development***

***The roads serving new residential developments should be designed to minimise traffic speeds, limited to 20mph or lower wherever possible.***

***Layouts should be permeable, allowing for safe pedestrian and cyclist access and should follow Secured by Design guidance. In particular, footways that enjoy natural surveillance, are overlooked by a number of dwellings, and are not routed along the backs of homes and/or bounded by high fences, will be considered favourably.***

### ***Policy 19: Residential parking standards***

*For all new residential developments, the following minimum vehicle standards shall apply for off-road parking:*

- *1 bed dwelling, 1 off-road car parking space*
- *2 bed dwelling, 2 off-road car parking spaces*
- *3+ bed dwelling, 3 off-road car parking spaces*

*Where these standards cannot be met or where there is a potential for on-street parking to occur because of the needs of visitors, streets will need to be designed to safely accommodate some on-street parking, which may include formal parking facilities such as laybys.*

*Landscaping shall be used to avoid car parking being obtrusive in the street scene.*

*Well-designed on street parking schemes on through routes that can be shown to function as informal traffic calming measures will be supported.*

*There will be a presumption against rear parking courts.*

#### **COMMENT**

***The final paragraph of this policy does not provide any flexibility and should be modified as follows:***

***Rear parking courts will only be supported in exceptional circumstances.***

#### **Theme 4: Economy and community services/ facilities and infrastructure**

##### *Policy 20: Local Community Facilities and Services*

*Development within the development boundary that improves the capacity or range of community facilities will be supported. In particular, proposals for new or expanded medical and educational facilities, childcare, supported care/ extra care services, banking facilities, and sports/ leisure facilities will be supported in principle and encouraged, particularly where they are in or in the immediate area around the village centre.*

*With respect to the potential loss of existing community facilities, where applications for change of use are submitted involving a potential loss of existing facilities they will be permitted only where the developer can demonstrate:*

- 1) They will be satisfactorily relocated to elsewhere, preferably in the village centre;*
- 2) or Adequate other facilities of the same service offering and which are connected by safe walking routes to the main residential areas to meet local needs; or*
- 3) No reasonable prospect of continued viable use which can be demonstrated through:*
  - i. At least six months of marketing for the permitted and similar uses, using an appropriate agent, and agreed with the local planning authority; and*
  - ii. Confirmation that it has been offered on a range of terms (including price) agreed to be reasonable on the advice of an independent qualified assessor.*

## **COMMENT**

*I have no comment on this policy.*

### **Policy 21: Development in the village centre**

*Development in the village centre will be supported if it comprises small scale commercial development or community facilities. This will include the following planning use classes:*

*A1 – shops;*

*A2 – financial and professional services;*

*A3 – restaurants and cafes;*

*A4 – Drinking establishments;*

*D1 – Non-residential institutions such as health centres, day nurseries, libraries; D2 – Assembly and leisure*

*This is to promote and consolidate the area as a village centre. Small-scale in the context of this policy means of a scale that is in proportion to the role and function of Poringland.*

## **COMMENT**

*I have no comment on this policy.*

### **Policy 22: Economic development**

*New economic development within the development boundary that comprises a micro or small business will be encouraged and supported in principle, conditional on appropriate mitigation and design.*

*Any proposal for an employment-generating use will need to demonstrate that:*

- it will not have an unacceptable adverse impact on residential amenity;*
- it will not have an unacceptable adverse impact on the transport network, especially the B1332;*
- it can accommodate all related parking within its site, including for visitors;*

- it provides a good standard of broadband; and
- it will not have any other unacceptable environmental impacts, including impacts on the historic environment around the south/ south-east of the village.

*Such economic development that is located separate from residential areas will be considered favourably.*

#### **COMMENT**

*The final paragraph of this policy is potentially confusing and could lead to a perceived support for economic development proposals outside the development boundary contrary to the objective of the policy as a whole. In addition, the policy already has criteria requiring the protection of residential amenity. For clarity the final paragraph of this policy should be deleted.*

#### **Policy 23: Telecommunications**

*The provision of essential infrastructure for telecommunications, mobile phones and broadband will be supported where it is of a scale and design appropriate to Poringland and would not cause undue visual intrusion or have an unacceptable impact on the landscape setting and character. In line with Policy 6 of the Joint Core Strategy, all new development must demonstrate how it will contribute to the achievement of fast broadband connections in the area.*

#### **COMMENT**

*I have no comment on this policy.*

#### **Policy 24: Physical and Social Infrastructure**

*Housing and other development will be required to contribute towards improving local services and infrastructure (such as transport, education, open space etc.) through either the payment of Community Infrastructure Levy (CIL), planning obligations (via an s106 agreement / s278 agreement); and the use of a planning conditions.*

*The following are physical and social infrastructure priorities. These shall be considered for developer contributions where appropriately linked with the impacts of specific development.*

*If a need is triggered by the combined impacts of different developments, then*

*Community Infrastructure Levy contributions or pooled s106 funding shall be deployed if possible.*

*The priorities, not listed in any particular order, are:*

- Upgrading of pedestrian facilities along the B1332, especially crossing facilities;*
- Improving footway condition;*
- Improved capacity of healthcare provision such as the GP surgeries;*
- Improved childcare and education provision;*
- Better car parking management around the schools;*
- Extension of or improvements to cycle facilities, including the route towards Norwich (note that most of this is outside of the parish);*
- Improved public transport, including upgrading of bus stops to bus shelters along the B1332 where there is room;*
- Improvements to Public Rights of Way;*
- Reduced traffic speeds on residential streets in the village; and*
- Renewable energy generation for the community.*

#### **COMMENT**

***This is not a land use policy and should be deleted from this section of the Plan. The CIL priority list can either be included in the body of the Plan or the as part of the community aspiration/project section of the Plan.***

## **SECTION 5**

### **Conclusion and Recommendations**

- 1. I find that the Poringland Neighbourhood Plan has been prepared in accordance with the statutory requirements and processes set out in the Town and County Planning Act 1990 (as amended by the Localism Act 2011) and the subsequent Neighbourhood Planning (General) Regulations 2012.*
- 2. The Neighbourhood Plan does not deal with County matters (mineral extraction and waste development), nationally significant infrastructure such as highways and railways or other matters set out in Section 61K of the Town and Country Planning Act 1990.*
- 3. The Poringland Neighbourhood Plan does not relate to more than one Neighbourhood Area and there are no other Neighbourhood Plans in place within the Neighbourhood Area.*
- 4. The Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) screening, meet the EU Obligation.*
- 5. The policies and plans in the Poringland Neighbourhood Plan, subject to the recommended modifications would contribute to achieving sustainable development. They have regard to national policy and to guidance, and generally conform to the strategic policies of the Development Plan, currently the Joint Core Strategy for Broadland, Norwich and South Norfolk (2014) and the South Norfolk Site Specific Allocations and Policies Document (2015) and the South Norfolk Development Management Policies Document (2015).*
- 6. I therefore conclude that the Poringland Neighbourhood Plan subject to the recommended modifications can proceed to Referendum.*

*Deborah McCann BSc MRICS MRTPI Dip Arch Con Dip LD*

*Planning Consultant*

*NPIERS Examiner*

*CEDR accredited mediator*

*23<sup>rd</sup> January 2020*

